# Resolved: Public colleges and universities in the United States ought not restrict any constitutionally protected speech.

## T

### Public University/College

#### Public universities = public institutions operated by the state

Collegebound “Differences Between Public and Private Universities and Liberal Arts Colleges” <http://www.collegebound.net/content/article/differences-between-public-and-private-universities-and-liberal-arts-colleges/18529/> JW

In the US, most public institutions are state universities founded and operated by state governments. Every state has at least one public university. This is partially due to the 1862 Morrill Land-Grant Acts, which gave each eligible state 30,000 acres of federal land to sell to finance public institutions offering study for practical fields in addition to the liberal arts. Many public universities began as teacher training schools and eventually were expanded into comprehensive universities.

#### Primarily funded by state government.

DHS 13 Department of Homeland Security “What is a Public University? What is a Private University?” January 3, 2013 <https://studyinthestates.dhs.gov/2013/01/what-is-a-public-university-what-is-a-private-university> JW

A public school is a college or university primarily funded by a state government. Public colleges and universities generally are larger than private schools and have larger class sizes. At a public school, you will likely have a larger selection of majors than you would at a private school, with both liberal arts classes and specialized programs.

#### College/university distinction. Public = established by state

West's Encyclopedia of American Law 8, “Colleges and Universities” edition 2 2008 The Gale Group, Inc http://legal-dictionary.thefreedictionary.com/Colleges+and+Universities JW

The term college is a general one that encompasses a wide range of higher-education institutions, including those that offer two- to four-year programs in the arts and sciences, technical and vocational schools, and junior and community colleges. The term university specifically describes an institution that provides graduate and professional education in addition to four-year post-secondary education. Despite these distinctions, the terms college and university are frequently used interchangeably in the United States. The first institution of higher education in the United States was Harvard College, founded in 1636. At the time of the Revolutionary War, nine colleges existed in the colonies—a number that had tripled by the time of the Civil War. In 1876, the first true university in the United States was established, with the founding of Johns Hopkins, in Baltimore. The university format rapidly gained popularity, and prominent private and state-run colleges soon assumed university status. According to the Statistical Abstract of the United States, 4,084 colleges and universities operated in the United States in 1999. U.S. colleges and universities fall into two general categories: private and public. Private institutions are usually corporations operating under state charters. Although tuition and private gifts and endowments provide much of their financial support, most private colleges and universities also receive some degree of government support. Many of the 2,000-plus private colleges and universities in the United States claim a religious affiliation. Public institutions are established either by state constitution or by statute, and they receive funding from state appropriations as well as tuition and endowments. Although the federal government operates several institutions of higher learning, such as the U.S. Military Academy and the U.S. Air Force Academy, it is prohibited by statute from exercising direct control over other educational institutions.

### Not

Merriam Webster defines not: https://www.merriam-webster.com/dictionary/not

**—used as a function word to make negative a group of words or a word**

### Restrict

#### Restrict=confine

Merriam Webster “restrict <https://www.merriam-webster.com/dictionary/restrict> JW

Definition of restrict transitive verb 1 : to confine within bounds : restrain 2

### Any

#### Any can be some.

AHD 16 American Heritage Dictionary, “any” Fifth Edition, 2016 <http://www.thefreedictionary.com/any> JW

One or some; no matter which: Take any book you want. Do you have any information on ancient Roman architecture?

#### Any means every.

AHD 16 American Heritage Dictionary, “any” Fifth Edition, 2016 <http://www.thefreedictionary.com/any> JW

Every: Any dog likes meat.

#### Any means any amount irrespective of specific qualities

CED 14 Collins English Dictionary Complete and Unabridged, “any” 12th Edition 2014 <http://www.thefreedictionary.com/any> JW

one, some, or several, as specified, no matter how much or many, what kind or quality, etc: any cheese in the cupboard is yours; you may take any clothes you like.

### Constitutionally Protected Speech

#### Caselist of forms of constitutionally protected speech

US Courts “What Does Free Speech Mean?” <http://www.uscourts.gov/about-federal-courts/educational-resources/about-educational-outreach/activity-resources/what-does> JW

The First Amendment states, in relevant part, that: “Congress shall make no law...abridging freedom of speech.” Freedom of speech includes the right: Not to speak (specifically, the right not to salute the flag). West Virginia Board of Education v. Barnette, 319 U.S. 624 (1943). Of students to wear black armbands to school to protest a war (“Students do not shed their constitutional rights at the schoolhouse gate.”). Tinker v. Des Moines, 393 U.S. 503 (1969). To use certain offensive words and phrases to convey political messages. Cohen v. California, 403 U.S. 15 (1971). To contribute money (under certain circumstances) to political campaigns. Buckley v. Valeo, 424 U.S. 1 (1976). To advertise commercial products and professional services (with some restrictions). Virginia Board of Pharmacy v. Virginia Consumer Council, 425 U.S. 748 (1976); Bates v. State Bar of Arizona, 433 U.S. 350 (1977). To engage in symbolic speech, (e.g., burning the flag in protest). Texas v. Johnson, 491 U.S. 397 (1989); United States v. Eichman, 496 U.S. 310 (1990). Freedom of speech does not include the right: To incite actions that would harm others (e.g., “[S]hout[ing] ‘fire’ in a crowded theater.”). Schenck v. United States, 249 U.S. 47 (1919). To make or distribute obscene materials. Roth v. United States, 354 U.S. 476 (1957). To burn draft cards as an anti-war protest. United States v. O’Brien, 391 U.S. 367 (1968). To permit students to print articles in a school newspaper over the objections of the school administration. Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988). Of students to make an obscene speech at a school-sponsored event. Bethel School District #43 v. Fraser, 478 U.S. 675 (1986). Of students to advocate illegal drug use at a school-sponsored event. Morse v. Frederick, \_\_ U.S. \_\_ (2007).

## Cards

### West’s 8

#### The legal precedent is mixed.

West's Encyclopedia of American Law 8, “Colleges and Universities” edition 2 2008 The Gale Group, Inc http://legal-dictionary.thefreedictionary.com/Colleges+and+Universities JW

Academic Freedom: The Right to Speak Freely The First Amendment prohibits the federal and state governments from infringing on freedom of speech. Not surprisingly, freedom of speech, which is central to academic freedom, is highly prized on college and university campuses. At the same time, most educational institutions recognize the importance of maintaining an atmosphere in which all students enjoy equal educational opportunities and freedom from discrimination. The need to balance differing individual rights has led many universities to enact policies purporting to regulate or discipline certain types of speech, and was the focus of many First Amendment cases in the 1980s and early 1990s. Racially and religiously motivated acts of Vandalism, intimidation, and violence on college campuses began to attract increased attention in the mid 1980s. Much of this activity involved incidents like the following: A fraternity fund-raising "slave auction" featuring fraternity members in blackface who were "sold" to provide services to bidders The distribution at a state school of leaflets warning,"The Knights of the Ku Klux Klan Are Watching You" A poster made by a student and hung on her dormitory room door, listing "homos" as a category of people who would be "shot on sight" In response, many universities adopted policies that prohibited speech and conduct that caused offense or interfered with educational opportunities based on any number of characteristics, especially race, national origin, gender, and religion. The University of Michigan adopted a typical policy on discrimination and discriminatory harassment that became the subject of a lawsuit in 1989. In Doe v. University of Michigan, 721 F. Supp. 852 (1989), the U.S. District Court for the Eastern District of Michigan examined this policy and determined that it violated the First Amendment because it was vague and overbroad—that is, it was unclear about the scope of the speech that it would affect and thus potentially encompassed constitutionally protected speech. Doe was filed by a graduate student who feared that his theories about genetic bases for differences between men's and women's relative abilities to perform certain tasks would be regarded as a violation of the policy were he to discuss them in class, because some students might regard them as sexist and offensive. The court agreed that the university policy violated the First Amendment and had a "chilling effect" on the free exchange of ideas. The court observed that the policy certainly applied to speech that would not be constitutionally protected, such as imminent threats of violence, but also swept under its umbrella speech that might be controversial or even offensive but otherwise constitutionally protected. "It is firmly settled," noted the court, that under our Constitution the public expression of ideas may not be prohibited merely because the ideas are themselves offensive to some of their hearers. These principles acquire a special significance in the university setting, where the free and unfettered interplay of competing views is essential to the institution's education mission. The court then observed that because Michigan's policy was so vague that it encompassed even constitutionally protected speech, and because this vagueness led to the potential for Arbitrary enforcement, the policy was unconstitutional. First Amendment protection is not limited to the classroom setting alone. In Iota Xi Chapter v. George Mason University, 993 F.2d 386 (1993), the U.S. Court of Appeals for the Fourth Circuit held that George Mason University, a state university, had violated the Sigma Chi Fraternity's First Amendment rights by suspending its privileges as a university organization after the fraternity held an event, called the Ugly Woman Contest, that depicted women in a particularly degrading manner. The court held that skits, like motion pictures, movies, theatrical productions, and nude dancing, are a form of expression that are entitled to First Amendment protection. Public university professors and employees also enjoy First Amendment protection, but as workers in the public sector, they are subject to certain limits. Generally, unlike private-sector employees, who may be disciplined or terminated for nearly anything that is not prohibited by state or federal law, public-sector employees may not be disciplined on the basis of their speech if the speech involves a matter of public concern. The state may discipline an employee if it can show that it would have done so regardless of the speech, or if the speech actually interfered with the effective fulfillment of public responsibilities. In Jeffries v. Harleston, 52 F.3d 9 (1995), the U.S. Court of Appeals for the Second Circuit held that the City College of New York could reduce the term of a black studies professor's chairmanship based on an off-campus speech he had made (which had included derogatory remarks about Jews) about bias in the New York public-school system. The court ruled that although the speech involved an area of public concern, the college was justified in reducing Jeffries's term because it was motivated by a reasonable prediction that the speech would adversely affect the school's operation. In an earlier case, the same court had held that the City College of New York could not undermine a philosophy professor's classes by setting up "alternative" sessions for students who might want to transfer out of the classes after the professor had published letters to scholarly journals that denigrated the intelligence of blacks (Levin v. Harleston, 966 F.2d 85 [1992]). Even so, not all speech by public university employees is protected. Employees still may be disciplined for speech that does not involve an area of public concern, as the courts have defined it. In Dambrot v. Central Michigan University, 839 F. Supp. 477 (E.D. Mich. 1993), aff'd, 55 F.3d 1177 (6th Cir. 1995), the district court upheld the termination of a basketball coach who used the term nigger in a locker-room pep talk. The university refused to renew the coach's employment contract, arguing that his use of the term violated the university's policy on racial and ethnic harassment. Although the court found that the school's policy violated the First Amendment (for the same reasons as in Doe), it also found that the coach's speech did not involve an area of public concern. A public institution also may restrict religious speech by faculty if failure to do so would violate the First Amendment's Establishment Clause (Bishop v. Aronov, 926 F.2d 1066 [1991]). In Bishop, the U.S. Court of Appeals for the Eleventh Circuit held that the University of Alabama could constitutionally restrict a professor from discussing his religious views during class, and could instruct him not to hold optional class sessions to discuss Christian perspectives on academic topics. The court noted that were the professor permitted to engage in these activities, the university would risk violating the Establishment Clause, which prohibits states from establishing religion and, by extension, extending preferential treatment to, or endorsement of, a particular religious view.

### Suprenant 15

#### Restricting freedom of speech is a contradiction in conception that undermines the government’s authority.

Suprenant 15 Chris W. “Kant on the Virtues of a Free Society” April 7th 2015 <https://www.libertarianism.org/columns/kant-virtues-free-society> JW

The second point is a bit less straightforward. His claim is that a sovereign that outlaws free speech creates a condition where his actions “put him in contradiction with himself.” This language is remarkably similar to what he uses in his moral theory to describe principles that violate the categorical imperative, Kant’s supreme principle of morality. In the Groundwork, Kant claims that when a principle of action fails when tested against the categorical imperative, it fails because something about that principle is contradictory. It may be the case that it is not possible to conceive of the action that comes about as a result of universalizing the underlying principle connected to the action (i.e., a contradiction in conception), or the result of universalizing the principle is self-defeating in some way (i.e., a contradiction in the will). In the case of the sovereign restricting freedom of the press, the contradiction appears to be more practical. Elsewhere Kant argues what justifies sovereign authority is that his actions are supposed to represent the united will of the people (MM 6:313). But a sovereign that denies free speech and otherwise undermines the conditions necessary to maintain a free society has made it impossible to gather the information needed to represent the will of the people appropriately. In this way, Kant sees any attempt by the sovereign to limit or otherwise suppress the free exchange of ideas, and, in particular, the exchange of ideas among the educated members of society (e.g., academics), as undermining his own authority.

### Varden 10

#### Even immoral speech cannot be legally restricted because it doesn’t coerce other individuals inherently.

Varden 10 summarizes Kant Helga Varden (Associate Professor of Philosophy at the University of Illinois) “A Kantian Conception of Free Speech” May 22nd 2010 Freedom of Expression in a Diverse World Volume 3 of the series AMINTAPHIL: The Philosophical Foundations of Law and Justice pp 39-55 <http://link.springer.com/chapter/10.1007%2F978-90-481-8999-1_4> JW

2 Virtuous Versus Rightful Private Speech In order to understand Kant’s conception of free speech we need a good grasp of his conception of rightful relations in general. With this conception in hand, we can see how Kant conceives of rightful private speech. Then we can see how rightful private speech is distinguished from rightful public speech, namely that which is protected or outlawed by various public law measures, including free speech legislation. Right, for Kant, is solely concerned with people’s actions in space and time, or what he calls our “external use of choice” (6: 213f, 224ff). When we deem each other and ourselves capable of deeds, meaning that we see each other and ourselves as the authors of our actions, we “impute” these actions to each other and to ourselves. Such imputation, Kant argues, shows that we judge ourselves and each other as capable of freedom under laws with regard to external use of choice – or ‘external freedom’ (6: 227). Moreover, when we interact, we need to enable reciprocal external freedom, meaning that we must find a way of interacting that is consistent with everybody’s external freedom. And this is where justice, or what Kant calls ‘right’ comes in. Right is the relation between interacting persons’ external freedom such that reciprocal external freedom is realized (6: 230). This is what Kant means when he says that rightful interactions are interactions reconcilable with each person’s innate right to freedom, namely the right to “independence from being constrained by another’s choices... insofar as it can coexist with the freedom of every other in accordance with a universal law” (6: 237). For Kant, right requires that universal laws of freedom, rather than anyone’s arbitrary choices, reciprocally regulate interacting individuals’ external freedom. The first upshot of this conception of right is that anything that concerns morality as such is beyond its proper grasp. Right concerns only external freedom, which is limited to what can be hindered in space and time (coerced), whereas morality also requires internal freedom. That is to say, morality encompasses both right and virtue, and virtue requires what Kant calls freedom with regard to “internal use of choice”. Internal freedom requires a person both to act on universalizable maxims and to do so from the motivation of duty (6: 220f) – and neither can be coercively enforced. This is why Kant argues that only freedom with regard to interacting persons’ external use of choice (right) can be coercively enforced; freedom with regard to both internal (virtue) and external use of choice – morality – cannot be coercively enforced (ibid.). Because morality requires freedom with regard to both internal and external use of choice, it cannot be enforced. This distinction between internal and external use of choice and freedom explains why Kant maintains that most ways in which a person uses words in his interactions with others cannot be seen as involving wrongdoing from the point of view of right: “such things as merely communicating his thoughts to them, telling or promising them something, whether what he says is true and sincere or untrue and insincere” do not constitute wrongdoing because “it is entirely up to them [the listeners] whether they want to believe him or not” (6: 238). The utterance of words in space and time does not have the power to hinder anyone else’s external freedom, including depriving him of his means. Since words as such cannot exert physical power over people, it is impossible to use them as a means of coercion against another. For example, if you block my way, you coerce me by hindering my movements: you hinder my external freedom. If, however, you simply tell me not to move, you have done nothing coercive, nothing to hinder my external freedom, as I can simply walk passed you. So, even though by means of your words, you attempt to influence my internal use of choice by providing me with possible reasons for acting, you accomplish nothing coercive. That is, you may wish that I take on your proposal for action, but you do nothing to force me to do so. Whether or not I choose to act on your suggestion is still entirely up to me. Therefore, you cannot choose for me. My choice to act on your words is beyond the reach of your words, as is any other means I might have. Indeed, even if what you suggest is the virtuous thing to do, your words are powerless with regard to making me act virtuously. Virtuous action requires not only that I act on the right maxims, but that I also do so because it is the right thing to do, or from duty. Because the choice of maxims (internal use of choice) and duty (internal freedom) are beyond the grasp of coercion, Kant holds that most uses of words, including immoral ones such as lying, cannot be seen as involving wrongdoing from the point of view of right.

#### Threats are not mere speech but contain a coercive element.

Varden 10 Helga Varden (Associate Professor of Philosophy at the University of Illinois) “A Kantian Conception of Free Speech” May 22nd 2010 Freedom of Expression in a Diverse World Volume 3 of the series AMINTAPHIL: The Philosophical Foundations of Law and Justice pp 39-55 <http://link.springer.com/chapter/10.1007%2F978-90-481-8999-1_4> JW

Second, it is important to distinguish threats of coercion from merely immoral speech. When you threaten me, you tell me that you do not intend to interact rightfully with me in the future. Simply saying so does not deprive me of anything that is mine, of course, but if you are serious and have the ability to make a strike against me, that is, if you really are threatening me, then you intend to back up your words with physical force. When you really threaten me, neither are you uttering ‘empty words’ nor are you taking yourself to be doing so. For example, assume that instead of yielding to your threat, I begin to walk away. You then move forward to block my retreat. This signals your intention to follow through with the threat. In fact, you might engage in other acts to signal that the threat is not empty. Perhaps you crush my hat under your foot or take a baseball bat to my car. In cases like these the words contained in the threat no longer function merely as speech but take on the role of communicating an intended future wrongdoing against me. Hence, threats are not considered mere speech on this view.

#### Speech does have the power to coerce.

Varden 10 Helga Varden (Associate Professor of Philosophy at the University of Illinois) “A Kantian Conception of Free Speech” May 22nd 2010 Freedom of Expression in a Diverse World Volume 3 of the series AMINTAPHIL: The Philosophical Foundations of Law and Justice pp 39-55 <http://link.springer.com/chapter/10.1007%2F978-90-481-8999-1_4> JW

Third, speech must be distinguished from uses of words that debilitate others in virtue of their causal effect on their bodies. After all, words are communicated by means of sound waves, which exist in space and time and hence can have coercive power in relation to our bodies. For example, I believe that this account affirms the view that if your words debilitate another’s physical functioning, whether inten- tionally or unintentionally, there is private wrongdoing. If you standing on the edge of a cliff, and I sneak up behind you and say ‘Boo!’, I am responsible for the consequences. In this case, it is the effect of the noise on your body, say the surprise or that you are startled, rather than the word (‘boo’) that hinders your external freedom, namely by hindering your choice to stay on the edge of the cliff. In the same vein, playing Herbjørg Kråkevik’s latest album extremely loudly out the windows of my house night and day – say, to enlighten my ignorant neighbors as to the benefits of listening to contemporary Norwegian folk music – has the debilitating effect that those close by cannot concentrate on work, relax or sleep. Ultimately, the extremely loud music will result in their inability to function physically. Therefore, also in this case my speech clearly deprives others of what is theirs, namely the functioning of their bodies due to the stress created by being subject to constant high levels of noise. Nevertheless, it is not the words or their content that constitutes my wrongdoing, but the noise. The point is that when such acts significantly affect each other’s physical ability to set and pursue ends with our respective means, they are coercive; such actions hinder others’ external freedom.2 And note that this is fully consistent with Kant’s general claim that speech as such is not a private wrong since the wrongdoing involved in the three cases above arises from the fact that there is more than speech going on.

#### The public authority argument is different from the “speech doesn’t coerce” argument.

Varden 10 Helga Varden (Associate Professor of Philosophy at the University of Illinois) “A Kantian Conception of Free Speech” May 22nd 2010 Freedom of Expression in a Diverse World Volume 3 of the series AMINTAPHIL: The Philosophical Foundations of Law and Justice pp 39-55 <http://link.springer.com/chapter/10.1007%2F978-90-481-8999-1_4> JW

It would be tempting, but wrong, to conclude from the above that a full liberal critique of free of speech rights found in liberal states can be established by means of an account derived, ultimately, from private persons’ rights against one another. For then Kant would be seen as arguing that constitutional protection of free speech is merely about ensuring that people are not punished when speech does not involve private wrongdoing. But Kant’s defense of free speech is much stronger than this. On his view, crucially, the right to free speech also protects the possibility of criticism of the public authority, since the right to speak out against the state is necessary for the public authority to be representative in nature. Therefore, this right to free speech is constitutive of the legitimacy of the political authority, namely constitu- tive of the political relation itself – a relation that does not exist in the state of nature. The right to political speech therefore does not rely on the justification provided by the private right argument that words cannot coerce. This aspect of the right to free speech is rather seen as following from how the public authority must protect and facilitate its citizens’ direct, critical engagement with public, normative standards and practices as they pertain to right. There are no a priori solutions or knowledge with regard to the actual formulation of the wisest laws and policies to enable rightful interaction. It is only through public discussion protected by free speech that the public authority can reach enlightenment about how and whether its own laws and institutions really do enable reciprocal external freedom under law for all. That is to say, only by protecting the citizens’ right freely to express their often controversial and critical responses to the public authority’s operations can the public authority possibly take its decisions to represent the common, unified perspective of all its citizens. Without knowledge of how the decisions affect the citizens, it is simply impossible to function as a representative authority. Therefore, the state has the right and duty constitutionally to protect its citizens’ right to free speech; the right to free speech is constitutive of the rightful relation between citizens and their state. There is clear textual support that Kant provides the kind of twofold defense of free speech argued here, namely that communication of thought does not typically involve private wrongdoing and that the state must protect free speech in order to function as a representative authority. To outlaw free speech, Kant argues in the essay “What is Enlightenment?”, is to “renounce enlightenment... [and] to violate the sacred right of humanity and trample it underfoot” (8: 39). Outlawing free speech is not only stupid, since it makes enlightenment or governance through reason impossible, but it involves denying people their right of humanity. Their right of humanity is denied by outlawing free speech, because such legislation involves using coercion against the citizens even when their speech does not deprive anyone of what is theirs. Moreover, outlawing free speech evidences a government “which misunderstands itself” (8: 41). Similarly, Kant argues both in this text and in “Theory and Practice” that such legislation expresses sheer irrational behavior on the part of a government. “[F]reedom of the pen”, Kant writes in the latter essay, is the sole palladium of the people’s rights. For to want to deny them this freedom is not only tantamount to taking from them any claim to a right with respect to the supreme commander (according to Hobbes), but is also to withhold from the latter – whose will gives order to the subjects as citizens only by representing the general will of the people – all knowledge of matters that he himself would change if he knew about them and to put him in contradiction with himself.... (8: 304, cf. 8: 39f) Free speech is seen as the ultimate safeguard or protection of the people’s rights. Therefore, a public authority – an authority representing the will of the citizens and yet the will of no one in particular – cannot outlaw free speech, since citizens qua citizens cannot be seen as consenting to it. Such a decree would bring the sovereign ‘in contradiction with himself’ since it would involve denying the sovereign the vital information it needs in order to act as the representative of the people. In “What is Enlightenment?” Kant expands this point: “[t]he public use of one’s reason must always be free... by the public use of one’s own reason I understand that use which someone makes of it as a scholar before the entire public of the world of readers” (8: 37). Every citizen must have the right to engage truthfully, yet critically in public affairs – to be a scholar – and so to raise her voice and explain why she judges the current public system of laws to be unjust or unfair. If such voices are not raised, the public authority cannot possibly be able to govern wisely; without a public expres- sion of the consequences for right of particular laws, the public authority does not have the information required to secure right for all and so to represent its citizens.

#### Kant thinks you should prohibit revolutionary speech.

Varden 10 Helga Varden (Associate Professor of Philosophy at the University of Illinois) “A Kantian Conception of Free Speech” May 22nd 2010 Freedom of Expression in a Diverse World Volume 3 of the series AMINTAPHIL: The Philosophical Foundations of Law and Justice pp 39-55 <http://link.springer.com/chapter/10.1007%2F978-90-481-8999-1_4> JW

To understand Kant’s condemnation of seditious speech, remember that Kant, as mentioned above, takes himself to have shown that justice is impossible in the state of nature or that there is no natural executive right. Since Kant considers himself to have successfully refuted any defense of the natural executive right, he takes himself also to have shown that no one has the right to stay in the state of nature. This, in turn, explains why Kant can and does consider seditious speech a public crime. The intention behind seditious speech is not merely to criticize the government or to discuss theories of government critically, say. In order to qualify as seditious, the speaker’s intention must be to encourage and support efforts to subvert the government or to instigate its violent overthrow, namely revolution. To have such a right would be to have the right to destroy the state. Since the state is the means through which right is possible, such a right would involve having the right to annihilate right (6: 320). That is, since right is impossible in the state of nature, to have a right to subversion would be to have the right to replace right with might. Since the state is the only means through which right can replace might, the state outlaws it. And since it is a crime that “endanger[s] the commonwealth” rather than citizens qua private citizens, it is a public crime (6: 331).

#### You can prohibit hate speech/assault speech because of historical oppression.

Varden 10 Helga Varden (Associate Professor of Philosophy at the University of Illinois) “A Kantian Conception of Free Speech” May 22nd 2010 Freedom of Expression in a Diverse World Volume 3 of the series AMINTAPHIL: The Philosophical Foundations of Law and Justice pp 39-55 <http://link.springer.com/chapter/10.1007%2F978-90-481-8999-1_4> JW

Kant’s distinction between public and private right can also be used to make sense of controversial issues of hate speech, speech amounting to harassment, and blackmail. First, an explanation why all these kinds of speech will not only be regulated in relation to public spaces, but also private (non-governmental) workplaces. The reason why public spaces of interaction and private workplaces are equally important targets of public law issues from the fact that in capitalist economies, at least, the state has permitted its citizens to become dependent upon private employment to secure access to means and hence to exercise external freedom. Just as the state must ensure that all public spaces are spheres within which its citizens can interact as free, equal and independent bearers of rights, the state must also ensure that an economy on which its citizens are dependent for access to material means functions in the same way. That is to say, insofar as the state permits the capitalist system to become part of the public solution to enabling rightful private property for all, it must also govern that economic system by public law. The state cannot permit such systemic dependence without also ensuring that the systems are not under private control. To permit this would be to permit some private citizens to obtain coercive control over the freedom of other citizens, which is precisely not to ensure that universal law regulates all citizens’ interactions.13 Such private dependency relations are therefore necessarily in conflict with the state’s function, namely to reconcile its monopoly on coercion with each citizen’s innate right to freedom. The right to freedom, as we saw, is the right to independence from rather than dependence upon any private person’s arbitrary choices, which is realized only by subjecting interacting persons’ freedom reciprocally to universal laws of freedom as enabled by the public authority. By issuing public law to govern any systems, including private ones, upon which the citizens’ exercise of their rights is depen- dent, the state secures rightful conditions for all. Even if we accept that issues of systemic dependency explain why the state will regulate public spaces as well as some apparently private interactions, such as in the workplace, it is not immediately clear why the regulation of hate speech and speech amounting to harassment is necessary.14 Why are these kinds of speech not protected by free speech legislation – and why do they fall under public rather than private law? The answer lies in the way in which these kinds of speech track severe and pervasive historical oppression. Hate speech and harassment are exemplified by personal insults on the basis of factors like race, ethnicity, gender, sexual orientation, disability and socioeconomic class. Moreover, it seems that achieving the insult is possible only because there has been a significant history of oppression of the insulted person. After all, blond jokes can’t really rise to the status of insult, but sexist comments about my gender can.15 Still, as we saw above, the fact that speech is offensive or annoying is not enough to make them proper objects of law, so what makes these cases different? On the Kantian view I have been developing, hate speech and speech amounting to harassment are not outlawed because they track private wrongdoing as such, but rather because they track the state’s historical and current16 inability to provide some group(s) of citizens with rightful conditions of interaction. This type of public law tries to remedy the fact that some citizens have been and still are ‘more equal than others’. Hence, if the state finds that it is still unable successfully to provide conditions under which protection and empowerment of its historically oppressed, and thus vulnerable, are secured, then it is within its rightful powers to legally regulate speech and harassment to improve its ability to do so. By putting its weight behind historically oppressed and vulnerable citizens, the state seeks to overcome the problems caused by its lack of recognition in the past and its current failure to provide conditions in which its citizens interact with respect for one as free and equal. Therefore, whether or not any instance of speech actually achieves insult is inconsequential, for that is not the justification for the state’s right to outlaw it. Rather, laws regulating speech and harassment track the state’s systemic inability to provide rightful interaction for all of its citizens. Note that this argument does not, nor must it, determine which particular usages of hate speech and speech amounting to harassment should be banned. It only explains why certain kinds and circumstances of speech and harassment can and should be outlawed and why public law, rather than private law, is the proper means for doing so. Determining which types and how it should be banned is matter for public debate and reflection followed by public regulation on behalf of all citizens.

### Jacobson 16

#### Violations of free speech in the name of preventing “hate speech” and “microaggressions” destroys education and knowledge.

Jacobson 16 Daniel (professor of philosophy at the University of Michigan) “The War against Free Speech on Campus” September 7th 2016 Cato Institute <https://www.cato.org/publications/commentary/war-against-free-speech-campus> JW

Hostility toward freedom of speech in American colleges and universities has been growing quietly for decades, but lately it has become impossible to ignore. The toleration of unpopular opinion was once considered central to the purpose of a liberal education, which was not to indoctrinate students dogmatically but to teach them how to form beliefs. But these classically liberal norms of toleration and open inquiry have given way to an activist conception of the mission of higher education. In practice, this amounts to the establishment of a specific ideology that its advocates refer to only in such generic terms as “social justice.” Dissent from this new orthodoxy is increasingly treated as heresy: beyond the pale of argument. The irony of this retreat from the classically liberal mission of the university is that it vindicates the very arguments for freedom of speech and intellectual diversity that it rejects. Hostility toward freedom of speech in American colleges and universities has been growing quietly for decades, but lately it has become impossible to ignore. Consider the obsession with diversity, understood almost exclusively in racial and sexual terms, which ignores the decrease in ideological and political diversity — especially in the humanities departments of our elite institutions. The University of Michigan, where I am a professor of philosophy, consistently ranks as one of the top public universities. Recently our new president announced that he wanted to broaden our definition of diversity a bit: “All too often it becomes focused on race and ethnicity, and those are incredibly important. But to me, equally important is the diversity of experience, diversity of culture, socioeconomic diversity, or geographical diversity.” Notably, intellectual diversity is left off the list. To be fair, though, Michigan does sponsor an endowed Lecture on Intellectual Diversity. This year’s lecture was titled, “Beyond Double Jeopardy: Exploring the Intersection of Race and Gender.” In order for our beliefs to be justified, we must be able to answer the best arguments against them. Yet John Stuart Mill observed that people naturally dislike confrontation with opposing arguments and tend to avoid it. These widespread human tendencies undermine the justification of our beliefs, making the toleration of unpopular opinions a prerequisite for knowledge. For these reasons and others, Mill defended freedom of speech in uncompromising terms: “there ought to exist the fullest liberty of professing and discussing, as a matter of ethical conviction, any doctrine,” regardless of its falsity, immorality, or even its harmfulness. Ideals of open inquiry and freedom of speech have been so widely rejected in academia because power in academia has shifted from classical liberals who value toleration to progressives willing to use intolerance to advance their political ends. Perhaps the most destructive development is the dogma that dissent from social justice orthodoxy constitutes literal violence against vulnerable groups which must not be tolerated. This conflation of speech and violence is the inevitable consequence of the popular dogma that so-called “hate speech” falls beyond the pale of free speech immunity. The idea that opinions can trigger traumatic emotional episodes and that people should be safe from offensive views is a menace to the very idea of free expression. In order to argue that some opinion is beyond the pale of toleration, one merely needs to claim that it constitutes “hate speech.” If putatively harmful speech is banned, then those who wish to suppress unorthodox opinion will attempt to frame it as hateful and violent. This is just what we now see playing out on campus, as when the University of California warns professors against committing such “microaggressions” as saying that America is the land of opportunity, or that the most qualified person should get the job. This self-righteous intolerance generates pressure to deny conservatives a forum on campus, and to shout them down or threaten them when they are allowed to speak. When DePaul University in Chicago recently banned conservative speaker Ben Shapiro due to what it called “security concerns,” it effectively gave a rioter’s veto to those who threaten violence. Since it is impossible for everyone to be protected from ideas and emotions they find abhorrent, this right can only be granted unequally: to some, not to all. No one considers making campus conservatives safe from radical ideas, nor should they. But there is an increasing need to protect them from actual violence in the name of social justice. The right not to be assaulted can be guaranteed to all, but the demand not to be offended by the opinions of others undermines not just freedom of speech but equality of rights. By officially discouraging the profession of these ideas, the university undermines the mission of teaching its students how to form their beliefs in a manner worthy of intelligent beings.

### Khan 15

#### Focusing on the “harmful PC politics of college students” reinforces all forms of oppression and obscures the real violations of free speech that occur on institutional levels.

Khan 15 Tariq (currently teaching an undergraduate US History course and working toward a PhD in History. He co-organizes a radical reading group, a local anarchist collective, and supports a few other local anti-racist and anti-colonial projects. He is also a member of the Industrial Workers of the World and the Graduate Employees’ Organization.) “MASKING OPPRESSION AS “FREE SPEECH”: AN ANARCHIST TAKE” Anarchist Agency October 28th 2015 <http://www.anarchistagency.com/commentary/masking-oppression-as-free-speech-an-anarchist-take/> JW

Out of necessity as much as out of conviction, anarchists in the United States have long been champions of the right to freely express uncomfortable and controversial ideas. At the same time, while championing the right to express unconventional ideas, anarchists have not allowed a liberal notion of free speech as an excuse to sit idly by while fascists spew hate speech. The Spanish anarchist Buenaventura Durruti – who died while serving in an anti-fascist militia in the 1930s – famously said, “Fascism is not to be debated, it is to be destroyed.” This reflects a sensibility that not all ideas are merely “points of view” that deserve respect or space. There is a difference between speech that is “offensive” and speech that is “oppressive.” For example, during the Jim Crow era in US history; newspaper articles, songs, books, plays, political cartoons, and speeches that characterized Black men as hypersexual and violent beasts were far more than merely offensive. Such expressions reinforced and perpetuated a violent white supremacist system, justifying and fueling legal oppression such as Jim Crow laws and extralegal oppression such as lynching. In the present-day United States, a shallow idea of “free speech” is often wielded by the privileged as a way to direct attention away from critiques of existing conditions and systems; particularly critiques of capitalism, imperialism, white supremacy, and patriarchy. For example, two years ago when UC Berkeley students organized to keep comedian Bill Maher from speaking on their campus, leading media outlets framed it as a controversy about free speech rather than engaging with the much deeper critiques the students had about Maher’s perpetuation of US imperialist, Orientalist discourse which fuels militarism abroad and racist violence at home.[1] Yet, while students who protest imperialist discourse are characterized as a threat to free speech, the actual threat to free speech in academia goes unchallenged by leading media outlets.[2] October 8, 2015, at the Community College of Philadelphia, English professor Divya Nair spoke at a rally organized by students in protest of police recruiters on campus. The students and Professor Nair drew connections between colonialism and modern US policing; particularly the police tactic of recruiting poor people of color to act as the capitalist state’s foot-soldiers to control poor Black and Brown communities. Later that day, school authorities suspended Professor Nair without pay, and they have since suspended three student group members who are facing disciplinary hearings. In the past few years there has been a noticeable campus crackdown on anti-colonialist expression. Last year the American Indian Studies Program at the University of Illinois, Urbana-Champaign hired Professor Steven Salaita, known for his comparative studies of US settler colonialism in the Americas and Israeli settler colonialism in Palestine. Under pressure from wealthy donors, Israel lobby groups, and establishment politicians, the Chancellor and the Board of Trustees stepped in – against the wishes of the American Indian Studies Program – and “unhired” Salaita, citing the supposedly “uncivil” tweets he posted criticizing Israel’s indiscriminate killing of civilians – including over 500 children – in Gaza last year. Several law-makers, Israel lobbyists, and campus authorities have likewise been working to silence the growing BDS (Boycott, Divestment, and Sanctions) movement against Israeli apartheid. Anti-colonialist students have also faced silencing and punishment. For example, earlier this semester at Cal State Sacramento, sophomore Chiitaanibah Johnson (Navajo/Maidu) was belittled and told by her professor that she was expelled from his US history course after she quite correctly challenged his assertion that the United States did not carry out genocidal anti-Indian policies. All of these cases and many other similar ones resonate with my own experience. Ten years ago, when I was an undergraduate at George Mason University, I was violently attacked by vigilantes and police for protesting military recruiters on campus. Right-wing students called me a “pussy” and a “faggot,” and ripped the anti-militarist sign off of my chest. Vigilantes held me down to “assist” the officers in brutalizing and handcuffing me. When the police saw my foreign name, they decided I was a terrorist. One officer blamed me for 9-11. Another officer yelled at me, “You people are the most violent people in the world.” An officer threatened to hang me upside-down from the ceiling in my jail cell for “running my mouth.” Even though I was a student at the university, the police charged me with trespassing and disorderly conduct. At first, University officials defended the police’s actions by saying I “was considered to be distributing literature.” In spite of the fact that the most egregious violations of free speech and academic freedom are committed in service to right-wing and establishment interests higher on the social hierarchy than students and professors, there is a highly problematic narrative proliferating in the United States; that today’s college students are “oversensitive” or “too politically correct” and that this supposed oversensitivity is leading to a crackdown on free speech and academic freedom. Both conservatives and liberals have perpetuated this false narrative. Conservative columnist George Will complained that the right of thin-skinned liberals “to never be annoyed” has become “a new campus entitlement.” In a popular Vox article titled “I’m a Liberal Professor, and my Liberal Students Terrify Me,” a college professor using the pseudonym Edward Schlosser complained about a climate of fear in academia caused by an overemphasis on the “safety and comfort” of students from historically marginalized groups. The September issue of The Atlantic featured the article “The Coddling of the American Mind,” which argued that “A movement is arising, undirected and driven largely by students, to scrub campuses clean of words, ideas, and subjects that might cause discomfort or give offense.” The piece lamented what a shame it is that students on some campuses led campaigns to disinvite former U.S. Secretary of State Condoleezza Rice and International Monetary Fund managing director Christine Lagarde from campus speaking engagements. Its authors, Greg Lukianoff and Jonathan Haidt argued that instead of protesting such speakers, women and Black students should look up to Rice and Lagarde as role models. The irony of two white men condescendingly determining who women and people of color should look to as role models did not occur to the authors. Shortly following the publication of the Atlantic article, President Obama echoed its sentiments at an education town hall in Des Moines. He said: “I’ve heard of some college campuses where they don’t want to have a guest speaker who is too conservative, or they don’t want to read a book if it had language that is offensive to African Americans or somehow sends a demeaning signal towards women. I’ve got to tell you, I don’t agree…that when you become students at colleges, you have to be coddled and protected from different points of view.” With this, Obama further reinforced the harmful notion that racist and misogynist speech is simply a “point of view” equal with all other “points of view,” as well as the notion that “oversensitive” students are stifling free expression. More recently, I was surprised to find in my alma mater’s newspaper that Atlantic authors Lukianoff and Haidt were using the experience that I went through ten years ago to further the narrative that colleges are choosing “political correctness over freedom of expression.” “Oversensitivity” and “political correctness” had absolutely nothing to do with what happened to me. I immediately wrote a letter to the Fourth Estate, George Mason University’s newspaper saying, in part: “Was Salaita targeted because he was not “politically correct?” Was he targeted for being “offensive?” Was the campaign against him triggered by students who are uncomfortable with controversy? The answer to all three questions is no. Plenty of professors at UIUC have used swear words on social media with no repercussions, it was not liberals with supposed hypersensitivity about political correctness who raised their eyebrows about Salaita, and it was the student activist Left – the people who are supposedly policing uncomfortable language, according to Lukianoff and Haidt – who most boldly came to Salaita’s defense. The campaign against Salaita came not from below, but from above, from rich and powerful establishment interests. Was the repression against me at GMU ten years ago caused by a culture of hypersensitive “political correctness?” Again, no… The first people to come to my defense, and to the defense of free speech, were leftist students and professors, LGBT students, South Asian and Arab students, the very people who the right would have us believe are too “politically correct” to tolerate free speech. It was the local right wing, the people who complain that society is “offended” too easily – fascist groups such as Free Republic, which later merged with other similar groups to become the Tea Party movement – who reveled in my arrest and called for more repression of students like me.” Likewise, Professor Divya Nair, the students at the Community College of Philadelphia, students such as Chiitaanibah Johnson at Cal State, and the student-led BDS movement are not being targeted for offending supposedly “PC” sensibilities. They are being targeted specifically for their anti-colonialist/anti-imperialist positions. In all of the hand-wringing in mainstream and conservative discourse about colleges violating principles of free expression, one looks in vain for any discussion of these kinds of examples. Indeed, the hand-wringers are more concerned that rich imperialist war-mongers such as Condoleeza Rice are being protested off of campuses than they are that actual students and professors are being threatened, suspended, expelled, fired, or are facing disciplinary hearings for criticizing the policies and worldview of people like Rice. Blaming something like Condoleeza Rice being disinvited from a speaking engagement on student “oversensitivity” and inability to hear uncomfortable speech misdirects public attention from the real anti-imperialist critique that student protestors have for why they don’t want a war-monger propagandizing on their campus. To refer to such students as “afraid of controversy” is more than a stretch. Chiitaanibah Johnson, for example, charged the United States with genocide. The anti-police students in Philadelphia carried a banner calling for a “Pig Free CCP.” Steven Salaita, who has been championed by the student Left was targeted by the establishment for statements such as “At this point, if Netanyahu appeared on TV with a necklace made from the teeth of Palestinian children, would anybody be surprised?” These are hardly what one can call the “PC” positions of coddled students. The flawed notion that overly-sensitive “PC” students are shutting down free speech is harmful. Student initiatives on campuses to challenge things such as racial or gender micro-aggressions are not challenges to free speech and they are not based on the idea that micro-aggressions are “offensive.” Micro-aggressions must be challenged because they are oppressive, not because they are offensive. Racist speech leads to an environment that is conducive to racist violence. It marginalizes students of color and makes the university not “uncomfortable,” but unsafe. Anti-LGBT speech makes campus unsafe, not merely “uncomfortable” for LGBT students. Misogynist speech creates an environment that is conducive to sexual assault. Any decent social scientist knows this. It is not about people being “uncomfortable” or “offended.” It is about people being unsafe and oppressed. White frat boys would have us believe that they are being unfairly “silenced” because women and people of color don’t laugh at their misogynistic or racist jokes, meanwhile anti-colonialist and anti-imperialist students and professors face actual repression from law-makers, wealthy donors, campus administrators, police, and vigilantes. The same foolish people who boycott stores for saying “Happy Holidays” instead of “Merry Lord Jesus God Almighty and the Bible Christmas!” complain that Black students fighting against actually-existing racial violence are “oversensitive.” The threat to campus free speech and academic freedom is not anti-racist or feminist students. The threat to free expression in academia is real, and it is coming down the social hierarchy from rich and powerful establishment interests, not upward from “coddled” students. The beautiful ideal of free expression is cheapened when oppression is allowed to go unchecked under the guise of a disingenuous notion of “free speech.”

### Harper 16

#### Outrage against the PC movement ignores institutional racism that silences black voices.

Harper 16 Shaun R. Harper (University of Pennsylvania professor and executive director of the Center for the Study of Race and Equity in Education. He is a co-editor of "College Men and Masculinities.") “No, protesters who point out campus racism aren’t silencing anyone” Washington Post March 10th 2016 <https://www.washingtonpost.com/posteverything/wp/2016/03/10/protests-against-campus-racism-dont-threaten-free-speech-they-embrace-it/?utm_term=.b86a9bd6dfe8> JW

Critics of the Black Lives Matter movement and its associated racial justice protests on college campuses believe free speech is under attack. Activists have been dubbed whiny, hypersensitive “crybullies” who silence others by calling out racism. Black collegians are exercising their rights to speak out against racism and to demand more inclusive, less dehumanizing learning environments. The outrage about a new era of “political correctness” fails to understand how black students, faculty, and staff at predominantly white institutions have felt for centuries that their freedom to speak out against campus racism has been effectively suppressed. I have spent my academic career conducting research on black undergraduate students’ experiences, including a recently published study on racist stereotypes black men face at institutions where they are persistently underrepresented. In addition, college presidents and other administrators annually hire researchers from the center I direct at the University of Pennsylvania to assess their campuses’ racial climates. We write reports to institutions that include our findings and recommendations. At too many schools I have studied, professors have accused black students of plagiarism because their papers were so well written. Racial epithets have been painted on black students’ residence hall doors, and nooses have been hung around campuses. Their peers in predominantly white fraternities have denied black students membership on the basis of race, chanted the N-word, and hosted blackface and racist theme parties parodying their cultures. [Campus racism makes minority students likelier to drop out of college] In my interviews and focus groups with college students of color, a surprising number say they remain silent about these and other threats to their sense of belonging on campuses where they pay the same tuition and fees as their white peers. Where were the critics who now see free speech under siege at universities when people of color were being silenced? Protests on campuses across the nation since last November signify an unmuting of black collegians. They are suddenly speaking more loudly about the everyday racism they experience in classrooms and elsewhere on campus. Student activists are not attempting to shut down conversations at their universities. In fact, it is the exact opposite — they aim to raise the consciousness of white professors, administrators, campus police officers and peers. They want more dialogue, not less. In protests at Yale University, the University of Missouri, Princeton University, and elsewhere, black students exercised their First Amendment rights to speak freely about what they experience on campus. Are their white classmates’ and professors’ rights somehow more valuable?

### Friedersdorf 16

#### Even if written policies don’t violate free speech at public universities, there are still constant violations of free speech.

Friedersdorf 16 Conor Friedersdorf “The Glaring Evidence That Free Speech Is Threatened on Campus” The Atlantic March 4th 2016 <http://www.theatlantic.com/politics/archive/2016/03/the-glaring-evidence-that-free-speech-is-threatened-on-campus/471825/> JW

What’s more, a written policy doesn’t determine if free expression is protected or violated in practice. And one needn’t search long to find widespread examples of free speech being threatened or assaulted outright. To cite just one example, since Harper brought up the matter of costume controversies: UCLA is a public institution that is bound by the First Amendment; as such, it has no written policy banning students from wearing offensive costumes. Nevertheless, administrators at the campus suspended a fraternity for holding a “Kanye Western” theme party, where attendees dressed like the famous rapper and his celebrity wife, Kim Kardashian. Later in the debate, during a back and forth with Wendy Kaminer, who was arguing that free speech is threatened on campus, Harper said: Wendy, it could be that maybe we're talking to completely different students and hearing completely different things, because quite honestly, when we have students in our studies who are talking with us about the realities of race on their campuses… when we hear students of color unpack these painful stories and these microaggressions and stereotypes and other things that have happened to them, we ask them, ‘What is it that you want the institution to do?’ Never once, not once have I heard them say anything about a speech code. I don’t doubt Harper's account of his own research. But I fail to understand how any scholar who takes the campus climate and last semester’s protests as a core focus of their research could miss student demands to punish speech. The Wall Street Journal reported on a survey of 800 college students that found 51 percent favored speech codes. Yale protestors formally demanded the removal of two professors from their jobs in residential life because they were upset by an email one of them wrote. Missouri law students passed a speech code that Above the Law called Orwellian. Amherst students called for a speech code so broad that it would’ve sanctioned students for making an “All Lives Matter” poster. At Duke, student activists demanded disciplinary sanctions for students who attend “culturally insensitive” parties, mandatory implicit-bias training for all professors, and loss of the possibility of tenure if a faculty member engages in speech “if the discriminatory attitudes behind the speech,” as determined by an unnamed adjudicator, “could potentially harm the academic achievements of students of color.” At Emory, student activists demanded that student evaluations include a field to report a faculty member’s micro aggressions to help ensure that there are repercussions or sanctions, and that the social network Yik Yak be banished from campus. Activists at Wesleyan trashed their student newspaper then pushed to get it defunded because they disagreed with an op-ed that criticized Black Lives Matter. Dartmouth University students demanded the expulsion of fraternities that throw parties deemed racist and the forced a student newspaper to change its name.

### Stascavage 16

#### PC policing polarizes society.

Stascavage 16 Bryan (Iraq War veteran, sophomore at Wesleyan University) “The Problem With Echo Chambers on Campus and Beyond” New York Times <http://www.nytimes.com/roomfordebate/2015/11/02/when-a-generation-becomes-less-tolerant-of-free-speech/the-problem-with-echo-chambers-on-campus-and-beyond> JW

I think the unwillingness to have uncomfortable discussions at college is a recent development of the growing polarity in our society. And the effect of this polarity is pointing to the creation of stovepipes of thought, in which knowledge of valid opposing ideas has waned. College campuses are not alone in this development. The stovepipes of thought have set up echo chambers where the range of acceptable discussion is narrow. Gun-toting right wingers? There is a round-the-clock source of information for those viewers, where all news is conveniently presented and analyzed to fit their world view. Liberal environmentalists have their own feed of filtered information. Not only that, but a relatively small yet vocal and active group can sanitize discussion in those echo chambers by aggressively targeting dissenters, pressuring them to convert or leave. A salient example is the reaction at Wesleyan to my article on Black Lives Matter. Instead of engaging in discussion, a small group targeted the student newspaper for publishing an unpopular opinion. Students are developing this idea further. Instead of being content with their own sanitized echo chambers, they are extending their worldview to the surrounding environment. These vocal activists are culturally terraforming the environment around them, using public shaming and soft threats as their means to keep voices they disagree with in check. The evidence of aggressive targeting by these activists already exists. Speakers have been uninvited, comedians have sworn off performing at campuses. This is cultural terraforming in action. When they graduate, they will take these values to their respective industries. And if the recent upheaval surrounding my college newspaper is foreshadowing, the news media industry may have a problem on its hands. The end result will be even more polarization in America, with societal fault lines growing increasingly contentious and unproductive.